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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,009	10/30/2003	Tyson James Mackjust	DEI 004 UTL	1426
35070	7590	12/15/2006	EXAMINER	
ANATOLY S. WEISER 3525 DEL MAR HEIGHTS ROAD, #295 SAN DIEGO, CA 92130				TRIEU, VAN THANH
		ART UNIT		PAPER NUMBER
				2612

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/699,009	MACKJUST ET AL.
	Examiner	Art Unit
	Van T Trieu	2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 October 2006.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-67 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) 65 is/are allowed.
 6) Claim(s) 1-12, 19-28, 31-34, 36-51, 53, 54, 57-64, 66 and 67 is/are rejected.
 7) Claim(s) 13-18, 29, 30, 35, 52, 55 and 56 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

3DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1. Claims 1-12, 23, 25, 26, 28, 31-34, 42, 44-51, 53, 57-64 and 66 are rejected under 35 U.S.C. 102(e) as being anticipated by **Goldenberg et al** [US 6,636,197]

Regarding claim 1, the claimed remote control for enabling a user to remotely control a security system, the security system having a base unit with a communication module, the remote control transmitter comprising a processor (the controlled device 12 can be a wireless link remote control for any device including a local microprocessor 202 to controls various functions for the security or alarm system for the automobile having a host microprocessor 224 as a base model, see Figs. 1 and 3, col. 3, lines 66-67, col. 4, lines 1-37, col. 5, lines 6-28, col. 10, lines 54-65, col. 11, lines 25-53 and col. 21, lines 15-19); and the display coupled to the processor to display information to the user under control of the processor (the display 14 coupled to the programmable microprocessor 202, see Fig. 3, col. 4, lines 47-66); and the first input device coupled to the processor to allow the processor to read state of the first input device, the state of the first input device being selected by the user and the second input device coupled to the processor

to allow the processor to read state of the second input device, the state of the second input device being selected by the user (the knob 26 can allow the user to select additional settings or functions of the control device 12, or additional control options provided by the knob 26 allow the number of other buttons and other controls to the local microprocessor 202, see Figs. 1 and 3, col. 5, lines 47-67, col. 6, lines 1-55 and col. 10, lines 40-53); and the transmitter coupled to the processor, the transmitter being capable of sending remote commands to the communication module of the base unit under control of the processor (the remote control device 12 with local microprocessor 202 is wirelessly communicating with a host/base microprocessor 224 that can be provided in a separate control subsystem in a vehicle or house. The host/base microprocessor 224 can implement a host/base application program with which a user interacts using knob 26 and/or other controls and peripherals, see Fig. 3, col. 10, lines 54-65 and col. 11, lines 2-53); and the memory module coupled to the processor, the memory module storing code executed by the processor (the memory 206, see Fig. 3, col. 9, lines 30-35); and wherein the processor under control of the code displays to the user various menu items on the display, enables the user to scroll among the menu items to point to one of the menu items using the first input device, and enable the user to select the menu item that is pointed to by using the second input device (the control knob 26 are preferably able to be pushed (and/or pulled) in a degree of freedom along axis A (or approximately parallel to axis A) and this motion is sensed by an axial switch or sensor. This provides the user with additional ways to select functions or settings without having to remove his or her grip from the knob. For example, in one

preferred embodiment, the user can move cursor 34 or other indicator on the display 14 using the transverse directions 32 or rotation of the knob 26; when the cursor has been moved to a desired setting or area on the display, the user can push the knob 26 to select the desired setting, much like a mouse button selects an icon in a graphical user interface of a computer. Or, the push or pull function can be useful to control the modes discussed above, since the user can simply push the knob and rotate or move the knob while it is in the pushed mode, then release or move back the knob to select the other mode. The modes discussed above can also be toggled by pushing or pulling the knob 26. The push and/or pull functionality of the knob 26 can be provided with a spring return bias, so that the knob returns to its rest position after the user releases the knob. Alternatively, the knob can be implemented to remain at a pushed or pulled position until the user actively moves the knob to a new position, see Figs. 1 and 3, col. 4, lines 47-61, col. 5, lines 47-67 and col. 6, lines 32-55).

Regarding claim 2, all the claimed subject matters are cited in respect to claim 1 above (the wireless link, see Fig. 3, col. 4, line 37 and col. 10, lines 54-65).

Regarding claim 3, the claimed first input device comprises a scroll wheel with an internal push-to-activate switch operable by depressing the scroll wheel in a radial direction of the scroll wheel toward center of the scroll wheel and releasing the scroll wheel; the user selects the state of the first input device by rotating the scroll wheel; the second input device comprises the internal push-to activate switch of the scroll wheel

and the user selects the state of the second user device by depressing and releasing the scroll wheel (the control knob 26 are preferably able to be pushed (and/or pulled) in a degree of freedom along axis A (or approximately parallel to axis A) and this motion is sensed by an axial switch or sensor. This provides the user with additional ways to select functions or settings without having to remove his or her grip from the knob. For example, in one preferred embodiment, the user can move cursor 34 or other indicator on the display 14 using the transverse directions 32 or rotation of the knob 26; when the cursor has been moved to a desired setting or area on the display, the user can push the knob 26 to select the desired setting, much like a mouse button selects an icon in a graphical user interface of a computer. Or, the push or pull function can be useful to control the modes discussed above, since the user can simply push the knob and rotate or move the knob while it is in the pushed mode, then release or move back the knob to select the other mode. The modes discussed above can also be toggled by pushing or pulling the knob 26. The push and/or pull functionality of the knob 26 can be provided with a spring return bias, so that the knob returns to its rest position after the user releases the knob. Alternatively, the knob can be implemented to remain at a pushed or pulled position until the user actively moves the knob to a new position. The scroll control knob/wheel 26 for a user/driver to rotate the wheel 26 toward a direction of any vehicle operation functions, parameters, engine status or electronic accessories to be selected, see Figs. 1 and 3, abstract, col. 2, lines 27-44, col. 4, lines 1-67, col. 5, lines 1-67, col. 6, lines 1-55, col. 8, lines 57-58 and col. 12, lines 17-19).

Regarding claim 4, the claimed display displays the menu items one-at-a-time (the method for providing a scrolling list for use with a force feedback device includes causing a display of a menu on a display device, the menu including menu items, where at least one menu item is not displayed concurrently with other menu items, see, col. 2, lines 28-32).

Regarding claim 5, the claimed menu item occupies no less than substantially half of the display area capable of displaying menu items (the list/menu, see Fig. 1).

Regarding claim 6, the claimed remote control transmitter provides feedback to the user when the user scrolls among the menu (the resistive force or haptic/force feedback scroll control knob 26, see Figs. 1, col. 2, lines 26-44, col. 3, lines 4-29 and col. 5, lines 6-46).

Regarding claim 7, the claimed scroll wheel clicks when it is rotated, providing tactile and audio feedback (the rotating knob 26 provides resistive force feedback, jog-shuttle, the pops and/or the click, see col. 1, lines 47-51, col. 5, lines 6-46, col. 6, lines 56-67, col. 22, lines 7-16 and col. 24, lines 27-55).

Regarding claim 8, all the claimed subject matters are cited to claim 7 above, see Fig. 1.

Regarding claim 9, all the claimed subject matters are cited in respect to claims 3 and 8 above, see Fig. 1.

Regarding claim 10, all the claimed subject matters are cited in respect to claims 2 and 7 above, see col. 4, lines 36-38, col. 10, lines 54-65).

Regarding claim 11, all the claimed subject matters are cited in respect to claim 10 above, and including a plurality of tasks (the plurality of functions, sub-menu and modes, see col. 5, lines 47-67 and col. 6, lines 1-55).

Regarding claim 12, all the claimed subject matters are cited in respect to claim 11 above.

Regarding claim 23, all the claimed subject matters are cited claims 3 and 13 above, and including the programming functions (the application program 312, see Figs. 3 and 6, col. 11, lines 1-53 and col. 20, lines 9-55).

Regarding claim 25, all the claimed subject matters are cited in respect to claims 1 and 2 above, and including the receiver (the transmitter/receiver, see Fig. 3, col. 4, line 37 and col. 10, lines 54-65); and wherein the messages comprises alarm, status, or diagnostic data from the base unit (the local processor 202 and remote microprocessor or host computer 224 can exchange various information data including warning, query

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the status and instructions as needed to facilitate control various systems, output event notifications to the user on the display, etc., see col. 11, lines 10-17 and col. 12, lines 52-59).

Regarding claim 26, all the claimed subject matters are cited in respect to claims 1, 3 and 14 above; and including the security system installed in a vehicle (see col. 4, lines 12-13).

Regarding claim 28, all the claimed subject matters cited in respect to claim 26 above, and including the alarm data messages, see col. 4, lines 12-13.

Regarding claim 31, all the claimed subject matters are cited in respect to claims 1 and 15 above.

Regarding claim 32, all the claimed subject matters are cited in respect to claims 2 and 31 above.

Regarding claim 33, all the claimed subject matters are cited in respect to claims 3 and 32 above.

Regarding claim 34, all the claimed subject matters are cited in respect to claims 4 and 33 above.

Regarding claim 42, all the claimed subject matters are cited in respect to claims 23 and 33 above.

Regarding claim 44, all the claimed subject matters are cited in respect to claims 28 and 33 above.

Regarding claim 45, all the claimed subject matters are cited in respect to claims 1 and 15 above.

Regarding claim 46, all the claimed subject matters are cited in respect to claims 3 and 45 above.

Regarding claim 47, all the claimed subject matters are cited in respect to claims 4 and 46 above.

Regarding claim 48, all the claimed subject matters are cited in respect to claims 5 and 47 above.

Regarding claim 49, all the claimed subject matters are cited in respect to claims 6 and 46 above.

Regarding claim 50, all the claimed subject matters are cited in respect to claims 7 and 46 above.

Regarding claim 51, all the claimed subject matters are cited in respect to claims 8 and 46 above.

Regarding claim 53, all the claimed subject matters are cited in respect to claims 19 and 47 above, and including the claimed outer shell means being for enabling the user to hold and operate the remote control with one hand, which reads upon the control device 12 is configured as a personal digital assistant PDA, cellular phone or any handheld remote control device by user's digit (finger, thumb, etc.), such as the TV and/or VCR remote control devices, see col. 4, lines 21-28 and col. 10, lines 47-53.

Regarding claim 57, all the claimed subject matters are cited in respect to claims 25 and 46 above.

Regarding claim 58, all the claimed subject matters are cited in respect to claims 28 and 57 above.

Regarding claim 59, all the claimed subject matters are cited in respect to claims 28 and 58 above.

Regarding claim 60, the method claimed limitations are met by the apparatus claim cited in respect to claims 1, 3 and 53 above, and including the claimed wireless link and rotating a scroll wheel with an internal push-to-activate switch with the thumb of the hand to cause the remote controller to display menu items (the scroll wheel switch 26 allows user's finger or thumb to activate to display the list/menu on the display 14 such as the wireless handled PDA, cellular, remote control device, see Fig. 1, col. 4, lines 21-39 and 47-65, col. 5, lines 1-67, col. 6, lines 1-44 and col. 8, lines 51-58, col. 12, lines 15-19).

Regarding claim 61, all the claimed subject matters are cited in respect to claims 4 and 60 above.

Regarding claim 62, all the claimed subject matters are cited in respect to claims 1, 2, 13 and 53 above.

Regarding claim 63, all the claimed subject matters are cited in respect to claims 53 and 62 above, and including the electrical power to the wireless communication module (the power supply 212, see Fig. 3.

Regarding claim 64, all the claimed subject matters are cited in respect to claims 1, 15 and 29 above.

Regarding claim 66, all the claimed subject matters are cited in respect to claims 62 above, and including the PDA (see col. 4, line 26).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Goldenberg et al [US 6,636,197]

Regarding claim 22, **Goldenberg et al** fails to disclose the display driver interposed between the processor and the display. However, **Goldenberg et al** teaches that the microprocessor 202 is connected to a display 14 for displaying of text/image and/or map, etc. generated from the microprocessor 202, see Figs. 1 and 3, col. 4, lines 47-67

and col. 5, lines 1-67. Therefore, it would have been obvious to one skill in the art at the time the invention was made to recognize that the display includes a display driver for driving to display of alphanumeric, and wherein the display driver is obviously interposed or connected between the processor and the display for receiving command display signals from the processor to be displayed on the display.

3. Claims 19-21, 36-41 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Goldenberg et al** and in view of **Will** [US 5,825,353].

Regarding claim 19, the claimed outer housing for containing the processor, the display, the first and second input devices, the transmitter, and the memory module, the outer housing comprising a top surface, a bottom surface, and sidewalls; wherein: the display is disposed on the top surface of the outer housing (see Fig. 1); but **Goldenberg et al** fails to disclose the scroll wheel is disposed on one of the sidewalls of the outer housing and protrudes from the one of the sidewalls. However, **Goldenberg et al** teaches that the remote control device 12 such as a PDA or cellular telephone includes a scroll wheel 26 is disposed on the top surface of the outer housing device 12, see Fig. 1. **Will** suggests that a handheld miniature PDA 1 includes a thumb wheel 15 positioned in the right side of the PDA 1, see Figs. 1-1, col. 2, line 40-67 and col. 6, lines 30-39. Therefore, an artisan would modify the top surface scroll wheel of **Goldenberg et al** with the idea of side scroll wheel of **Will** for easily for a user to manipulate or use of the scroll wheel of the PDA on one hand, while having the other hand to be free to use on something else. And with the advance of electromechanical technologies allows to

make small control devices such as cellular phone, remote control devices and/or ipod devices available in the market today.

Regarding claim 20, **Goldenberg et al** fails to disclose the longer dimension of the top surface of the outer housing is less than about 1.5 inches. However, according to the combination between **Goldenberg et al** and **Will** in respect to claim 19 above, wherein the control device 12 has an outer surface with touch sensitive surface display 14 and a control knob 26 can be implemented as a variety of different objects and shapes, see Fig. 1, col. 5, lines 2-28. Therefore, an artisan would recognize that it is a design choice to make dimensions of the device surface such as less than 6 inches and less than about 4 inches or less than 1.5 inches, whichever to provide convenience and easily holding and operating of the electronic device.

Regarding claim 21, all the claimed subject matters are discussed between **Goldenberg et al** and **Will** in respect to claims 19 and 20 above.

Regarding claim 36, all the claimed subject matters are discussed between **Goldenberg et al** and **Will** in respect to claims 19 and 33 above.

Regarding claim 37, **Goldenberg et al** fails to disclose the top surface of the outer housing has a longer dimension and a shorter dimension substantially perpendicular to each other, the longer dimension being less than about 6 inches, the shorter dimension

being less than about 4 inches. However, according to the combination between **Goldenberg et al** and **Will** in respect to claim 36 above, wherein the control device 12 has an outer surface with touch sensitive surface display 14 and a control knob 26 can be implemented as a variety of different objects and shapes, see Fig. 1, col. 5, lines 2-28. Therefore, an artisan would recognize that it is a design choice to make dimensions of the device surface such as less than 6 inches and less than about 4 inches or less than 1.5 inches, whichever to provide convenience and easily holding and operating of the electronic device.

Regarding claim 38, all the claimed subject matters are discussed between **Goldenberg et al** and **Will** in respect to claim 37 above.

Regarding claim 39, the claimed pressure needed to activate the internal is between about 0.15 and 0.75 ounces, which reads upon the force/haptic feedback scroll control knob operated by the force sensation, other force effects and resistive forces are applied, see col. 12, lines 14-67, cols. 13-16 and col. 17, lines 1-57.

Regarding claim 40, all the claimed subject matters are discussed between **Goldenberg et al** and **Will** in respect to claims 18, 19, 33 and 38 above.

Regarding claim 41, all the claimed subject matters are discussed between **Goldenberg et al** and **Will** in respect to claims 19 and 40 above.

Regarding claim 54, all the claimed subject matters are discussed between **Goldenberg et al** and **Will** in respect to claims 18 and 53 above.

4. Claims 24, 27, 43 and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Goldenberg et al** and in view of **Issa et al** [US 5,783,989].

Regarding claim 24, **Goldenberg et al** fails to disclose the function programming task is selected from the list consisting of passive arming, active arming, enabling confirming chirps for arm and disarm state changes, disabling confirming chirps for arm and disarm state changes, turning on ignition locking of doors, and turning off ignition locking of doors. However, **Goldenberg et al** teaches that the control device 12 is a controller for various automobile systems including security and alarm system for the automobile, see col. 4, lines 1-13. **Issa et al** suggests that the vehicle security system for a vehicle includes a controller 35 for programming and learning a unique code of a remote transmitter 25 to define a learned remote transmitter 25 capable of causing performance of a function associated with the vehicle including vehicle security system. The vehicle learned functions includes arming, disarming, ignition on/off function, door lock and unlock statuses and chirp and flash notifications, see Figs. 1, 2, 6C, 7C, 11 and 12, col. 5, lines 3-60, col. 6, lines 15-30, col. 8, lines 8-67, col. 9, lines 1-54, col. 15, lines 15-51, col. 18, lines 51-67 and col. 19, lines 1-22. Therefore, it would have been obvious to one skill in the art at the time the invention was made to programmed the processor of **Goldenberg et al** with vehicle security functions such as of **Issa et al** for providing

vehicle security and personal convenience as well. Today RF remote controlled vehicle security provides remote door locking/unlocking, remote trunk release, remote window roll up/down, remote ignition starting are available to in the market.

Regarding claim 27, **Goldenberg et al** fails to disclose the information in the message contains diagnostic data. However, **Goldenberg et al** teaches that the control device 12 is a controller for various automobile systems including security and alarm system for the automobile, see col. 4, lines 1-13. **Issa et al** suggests that vehicle security system for a vehicle includes a controller 35 for programming and learning a unique code of a remote transmitter 25 to define a learned remote transmitter 25 capable of causing performance of a function associated with the vehicle including vehicle security system and self-diagnostic mode to help maintain the maximum security possible, see Figs. 1, 2A and 8A, col. 2, lines 36-60, col. 8, lines 8-42, col. 10, lines 38-57, col. 16, lines 58-67 and col. 17, lines 1-40. Therefore, it would have been obvious to one skill in the art at the time the invention was made to implement the self-diagnostic mode of **Issa et al** to the processor of **Goldenberg et al** for assuring of the vehicle security operation functions and to prevent of falls alarm.

Regarding claim 43, all the claimed subject matters are discussed between and **Goldenberg et al** and **Issa et al** in respect to claims 24 and 42 above.

Regarding claim 67, **Goldenberg et al** fails to disclose the security and entertainment system comprises at least a shock sensor, a field disturbance sensor or a glass break sensor. However, **Goldenberg et al** teaches that the control device 12 is a controller for various automobile systems including security and alarm system for the automobile, see col. 4, lines 1-13. **Issa et al** suggests that vehicle security system for a vehicle includes a controller 35 for programming and learning a unique code of a remote transmitter 25 to define a learned remote transmitter 25 capable of causing performance of a function associated with the vehicle including vehicle security system including a plurality of sensors 12 such as shock sensor for detecting of intruder, see Figs. 1, 2A and 8A, col. 2, lines 36-60, col. 8, lines 8-42, col. 10, lines 38-57, col. 16, lines 58-67, col. 17, lines 1-40 and col. 22, lines 8-30. Therefore, it would have been obvious to one skill in the art at the time the invention was made to substitute the shock security sensors of **Issa et al** to the vehicle security system of **Goldenberg et al** for detecting of intrusions or theft of the vehicle, since those sensors are well known in the vehicle security system.

Response to Arguments

5. Applicant's arguments filed on 13 June 2006 have been fully considered but they are not persuasive. Because,

Applicant's arguments:

(A) **Goldenberg et al** apparently does not disclose or suggest that the knob 26 may be rotated by the thumb of the same hand that is holding the controller. Even if

Goldenberg's controller that includes the knob 26 could be made to fit in one hand, it does not follow that the knob would necessarily be operable by the thumb of the hand holding the controller.

(B) Lack of motivation to combine of **Goldenberg et al** with other references of **Will and Issa et al.**

Response to the arguments:

(A) **Goldenberg** teaches that the knob 26 can be a scroll wheel, steering wheel or rotary scroll wheel, see col. 6, lines 6-14 and 40-48, col. 8, lines 18, col. 12, lines 18-19 and col. 25, lines 59. The scroll wheel 26 is manipulated by a user's digit finger or thumb of a user's hand, wherein the knob/scrolling wheel often easier for a user interface with device, see col. 50-53, col. 5, lines 6-23 and col. 10, lines 51-52.

(B) It is obvious to combine of the control physical structure with the advantage of electromechanical components and the well-known pocket size remote control devices of **Will**. And also the well-known programmable microprocessors or microcomputers for the security control devices of **Issa et al.**

Conclusion

6. Claim 35 is allowable over the prior art.

7. Claims 13-18, 29, 30, 35, 52, 55 and 56 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. After a very careful reviewing of the Appeal Brief arguments filed on 16 October 2006 with supervisor of the examiner. According to the arguments in the Appeal Brief, claim 35 is allowed and claims 13-18, 29, 30, 35, 52, 55 and 56 are objected. However, the other claims are still under rejections because the reference of **Goldenberg et al** reads upon the claimed limitations as the electronic control device 12 can be in the form of a PDA, cellular telephone, or a remote controller for use in house's appliances, security and alarm system for the vehicle. The remote control device includes a plurality of inputs data/information selected by a user through a knob 26, which can be a scroll wheel 26, and the selected data/information from a list/menu displayed on a display 14. A desire item selected by pushing a switch and scrolling the release to the desired item on the menu as cited in claim 1 above. The remote control device 12 is in two-way communications with it host/base microprocessor 224 for carrying out the performances, tasks or programming, such as remotely control to open/close the garage, to activate/deactivate of the security alarm, TV, or others. A final rejection is provided herewith since some of the arguments in the Appeal Brief were not addressed before.

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9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mr. Mike Horabik** can be reached on (571) 272-3068.



Van Trieu
Primary Examiner
Date: 12/14/06